



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, AUGUST 15, 2007

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San Jose, California 95113-1905

Hearing Officers

Susan Walton, Principal Planner

Mike Enderby, Acting Principal Planner

**Joseph Horwedel, Director
Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **August 15, 2007**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- I will identify the project as described on the agenda
- Staff will provide a brief report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The public hearing will then be closed and I will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

- a. **HP05-002/HP05-003.** Historic Preservation Permits to review (1) construction of approximately 195 single-family attached residential units and approximately 12,000 square feet of ground-floor commercial space in two towers, approximately 200 and 130 feet tall, respectively, and associated improvements; (2) demolition of Letcher's Garage, listed as a National Register Historic Site/Structure and as a Contributing Structure to the St. James Square City Landmark District; and (3) rehabilitation of the First Church of Christ Scientist, including exterior modifications and structural upgrades to the structure listed as a National Register Historic Site/Structure, as a Contributing Structure to the St. James Square City Landmark District, and as a Structure of Merit on a 1.1 gross acre site in the DC Downtown Primary Commercial Zoning District, located on the entire block bounded by N. 1st, N. 2nd, St. James, and Devine Streets (200 & 252 N. 1st St. and 39 E. St. James St.) (Redevelopment Agency Of City Of San Jose & Barry Swenson Builder Green Valley Corp., Owners). Council District 3. SNI: None. CEQA: Supplemental Environmental Impact Report.

DROPPED

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be considered together. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **TR07-172.** Tree Removal Permit to remove one Pepper Tree, 119.5 inches in circumference, from the rear yard of a single family residence in the R-1-8 Single-Family Residence Zoning District, located at/on the 525 North 21st Street (525 N 21ST ST) (Nitschke Mary, Owner). Council District 3. CEQA: Exempt. (Project Manager: Michelle Stahlhut)

- b. **TR07-174.** Tree Removal Permit to remove one live Chinese Elm 58 inches in circumference from the corner side yard of an existing single-family residence in the R-1-5 Single-Family Residence Zoning District, located at/on the 1164 Nikette Way (1164 NIKETTE WY) (Best John S And Margaret E Trustee, Owner). Council District 10. CEQA: Exempt.
(Project Manager: Michelle Stahlhut)
- c. **PDA81-019-01.** Planned Development Permit Amendment for removal of two eucalyptus trees approximately 60 and 88 inches in circumference without permits from the common area of an existing multi-family residential development in the A(PD) Planned Development Zoning District, located at 3601 La Terrace Circle (3601 LA TERRACE CL) (Mike Ghiozzi, Owner). Council District 10. CEQA: Exempt.
(Project Manager: Michelle Stahlhut)
- d. **TR07-173.** Tree Removal Permit for one live Deador Cedar (108 inches in circumference). Certified Arborist Report provided. in the R-1-8 Single-Family Residence Zoning District, located at 1712 Lollie Court (Mark and Gale Deome, Owner). Council District 9. CEQA: Exempt.
(Project Manager: Chris Burton)
- e. **TR07-177.** Live Tree Removal Permit for one pine tree measuring 98 inches in circumference located on property line between 1625 and 1629 Tiffany Way in the R-1-8 Single-Family Residence Zoning District, located at 1629 Tiffany Way (Jim and Sonya Tarshis, and Louis Anderson, owners). Council District 9. CEQA: Exempt.
(Project Manager: John Davidson)
- f. **TR07-194.** Tree Removal application for one live Tulip Tree measuring approximately 72 inches in circumference in the R-1-8 Single-Family Residence Zoning District, located at 2236 Maroel Drive (Richard and Sherri Clark, owners). Council District 1. CEQA: Exempt.
(Project Manager: John Davidson)
- g. **SP07-031.** Special Use Permit to construct an accessory structure containing 520 square feet in the rear yard of an existing single-family residence on a 0.12 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1516 W. Hedding Street on the south side of Hedding Street, approximately 410 feet east of Dana Avenue (Ann Tung, Owner). Council District 6. SNI: none. CEQA: Exempt.
(Project Manager: Licinia McMorrow)
- h. **TR07-192.** Tree Removal Permit to remove one live Palm tree 77 inches in circumference located at the rear yard of an existing single-family residence in the R-1-8 Single-Family Residence Zoning District, located at/on the 641 Fenley Avenue (Teruko Sato, Owner). Council District 6. CEQA: Exempt.
(Project Manager: Licinia McMorrow)
- i. **TR07-171.** Tree Removal Permit to remove one Thuja tree approximately 65 inches in circumference from the front yard of an existing single-family detached residential lot in the R-1-8 Single-Family Residence Zoning District, located at/on the 965 Willow Glen Way (Roger Madesen, Owner). Council District 6. CEQA: Exempt.
(Project Manager: Licinia McMorrow)

- j. **T07-058.** Tentative Map to subdivide one parcel into two lots for residential uses on a 0.46 gross acre site in the R-2 Two-Family Residence Zoning District, located on the north side of Park Avenue extending to the south side of Eugene Avenue, approximately 150 feet westerly of Rainer Avenue (1051 & 1053 Park Ave. and 1042 Eugene Ave.) (Tony B. Devolo, Owner). Council District: 6. SNI: None. CEQA: Exempt. (Project Manager: Avril Baty)
- k. **H07-017.** Site Development Permit to construct an approximately 9,885 square foot addition to an existing office building and to remove four ordinance size trees of various species on a 6.83 gross acre site located on the east side of North First Street, approximately 240 feet northerly of Archer Street (1720 North First Street) in the CN - Commercial Neighborhood Zoning District, (California Water Service Co., Owner). Council District 3. SNI: None. CEQA: Exempt. **Deferred from 7-25-07.** (Project Manager: Rebekah Ross)

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **PD07-029.** Planned Development Permit to construct two detached and two attached single-family residences on a 0.26 gross acre site in the A(PD) Planned Development Zoning District, located at/on the east side of Boynton Avenue, approximately 350 feet northerly of Williams Road (962 BOYNTON AV) (Ettefagh Farajollah Et Al, Owner). Council District 1. SNI: Blackford. CEQA: Exempt. **Deferred from 7-25-07 and 8-8-07.** (Project Manager: Martina Davis)
- b. **PT07-026.** Tentative Map application to subdivide one lot into five lots for two attached and two detached single-family residences in the A(PD) Planned Development Zoning District, located on the east side of Boynton Avenue, approximately 350 feet northerly of Williams Road (962 BOYNTON AV) (Ettefagh Farajollah Et Al, Owner). Council District 1. SNI: Blackford. CEQA: Exempt. **Deferred from 8-8-07.** (Project Manager: Martina Davis)
- c. **PT07-013.** Planned Tentative Map Permit to reconfigure one parcel into one lot for 42 single-family attached condominium residential units on a 0.66 gross acre site located at 90 Archer Street, on the southwest corner of Archer Street and Kerley Drive, with County Assessor's Parcel Number 235-02-015, and in the A(PD) Planned Development Zoning District (Essex Property Trust, Owner). Council District 3. SNI: None. CEQA: Addendum to the Final Environmental Impact Report for the North San José Area Development Policies Update. (Project Manager: Rodrigo Orduna)
- d. **TR07-176.** Tree Removal Permit requesting to remove one Modesto Ash tree, approximately 84 inches in circumference, located in the front yard of an existing single family residence located on the east side of Charlene Court, approximately 90 feet west of Riverside Way (6759 Charlene Court) in the R-1-8 Single-Family Residence Zoning District, (Costello Patrick G And Evans Tracy M, Owner). Council District 1. CEQA: Exempt. (Project Manager: Rebekah Ross)

- e. **TR07-183.** Tree Removal Permit requesting to remove one Silk tree, approximately 71 inches in circumference, on a 0.19 gross acre site located on the northeast corner of Cherry Glen Way and Mercer Avenue (1580 Cherry Glen Way) in the R-1-8 Single-Family Residence Zoning District, (Fox Thomas J And Merydith W Trustee, Owner). Council District 6. CEQA: Exempt.
(Project Manager: Rebekah Ross)
- f. **TR07-079.** Tree Removal Permit to remove one Palm tree approximately 80 inches circumference from the front yard of an existing residence on an 0.14 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 420 S. 13th Street on the east side of S. 13th Street 130 feet south of E. San Salvador Street (Kimberly and John Boudreaux, Owners). Council District 3. CEQA: Exempt.
(Project Manager: Licinia McMorrow)
- g. **TR07-073.** Tree Removal Application for two live trees: (1) Deodora Cedar (evergreen) 117 inch; (2) Dawn Cedar (deciduous) 76 inches in circumference in the R-1-8 Single-Family Residence Zoning District, located at 2339 VALERIE CT (Suzanne Colee Williams, Owner). Council District 1. CEQA: Exempt59898.
(Project Manager: Martina Davis)
- h. **H07-026.** Site Development Permit to relocate existing house on-site, add 1,559 square feet to the existing residence, convert the existing residence to a duplex (two-family residence0, demolish the existing detached garage, and replace the garage with a new detached garage on a 0.17 gross acre site in the R-M Multiple Residence Zoning District, located at 1405 McKendrie Street (on the northwesterly corner of Park Avenue and McKendrie Street) (Angelo And Sonia Filippin, Owners). Council District: 6. SNI: None. CEQA: Exempt.
(Project Manager: Avril Baty)
- i. **PDA83-024-01.** Tree removal permit for 14 Tulip Trees (all greater than 56" in circumference) from the common area of a multifamily condominium development located in the A(PD) Planned Development Zoning District, located on the west side of Northlake Drive, approximately 250 feet southerly of Kiely Boulevard (401 NORTHLAKE DR) (Citibank N A Trustee, Owner). Council District 1. CEQA: Exempt. **Deferred from 7-25-07.**
(Project Manager: Chris Burton)

This concludes the Planning Director's Hearing for August 15, 2007. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:

<http://www.sanjoseca.gov/planning/hearings/default.asp>

PUBLIC INFORMATION COUNTER

(408) 535-7800 CITY OF SAN JOSE